

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

IN RE: DATA BREACH SECURITY	:	Master File No. 1:21-cv-146
LITIGATION AGAINST THE	:	
KROGER COMPANY	:	Judge Timothy S. Black
	:	
	:	(Consolidated for pretrial proceedings
	:	with Case Nos. 1:21-cv-174, 1:21-cv-
	:	198, 1:21-cv-226, 1:21-cv-240, 1:21-
	:	cv-279, and 1:21-cv-323)
	:	

ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO CONSOLIDATE

This matter is before the Court on the motion to consolidate under Federal Rule of Civil Procedure 42 by Plaintiffs in six related cases, *Jones v. The Kroger Company*, Case No. 1:21-cv-146, *Govaert v. The Kroger Company*, Case No. 1:21-cv-174, *Doty v. The Kroger Company*, Case 1:21-cv-198, *Strohm v. The Kroger Company*, Case No. 1:21-cv-226, *Abrams v. The Kroger Company*, Case No. 1:21-cv-00240, and *Buck v. The Kroger Company*, Case No. 1:21-cv-279.

For the reasons in that motion, to ensure consistent and efficient adjudications in this Court, and for other good cause shown, the Court hereby GRANTS the motion to consolidate. Moreover, the Court also consolidates related case, *Baer, et al. v. The Kroger Company*, Case No. 1:21-cv-323, filed after the unopposed motions to consolidate were presented to the Court.

Accordingly, the Court issues the following Orders:

1. The following Related Actions are hereby consolidated for all pre-trial proceedings (the “Consolidated Action”):

<u>Abbreviated Case Name</u>	<u>Case No.</u>	<u>Date Filed</u>
<i>Jones v. The Kroger Company</i>	1:21-cv-146	March 3, 2021
<i>Govaert v. The Kroger Company</i>	1:21-cv-174	March 11, 2021
<i>Doty v. The Kroger Company</i>	1:21-cv-198	March 23, 2021
<i>Strohm v. The Kroger Company</i>	1:21-cv-226	April 1, 2021
<i>Abrams v. The Kroger Company</i>	1:21-cv-240	April 7, 2021
<i>Buck v. The Kroger Company</i>	1:21-cv-279	April 19, 2021
<i>Baer, et al. v. The Kroger Company</i>	1:21-cv-323	May 13, 2021

2. Every pleading filed in the Consolidated Action shall bear the caption of this Order;

3. Any pleading filed in any of these cases shall be filed only in the Master File No. 1:21-cv-146.

4. The files of the Consolidated Action shall be maintained in one file under Master File No. 1:21-cv-146;

5. Should a case that arises out of the same subject matter of the Consolidated Action subsequently be filed in this Court or transferred from another Court, a motion may be made to consolidate it as well. Nothing in the forgoing shall be construed as a waiver of Defendant’s right to object to consolidation of any subsequently filed or transferred related action;

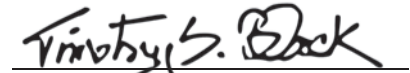
6. Pursuant to Rule 5(b)(2)(E) of the Federal Rules of Civil Procedure, service by e-mail transmission shall be permitted in addition to service via ECF notification;

7. Plaintiffs will file a consolidated class action complaint within thirty (30) calendar days of the entry of this Order; and,

8. Defendant shall not be required to answer or otherwise respond to any of the original complaints in the Related Actions.

IT IS SO ORDERED.

Date: 6/22/2021



Timothy S. Black
United States District Judge